



THE UNITED STATES PATENT OFFICE

#14/Amend A  
2-26-02  
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Application Serial No. 09/740,965

Our Ref.: PT-1673004  
CUSTOMER NO. 23607

Filing Date: March 5, 1998

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Title: RETRACTABLE SCREEN SYSTEM AND  
IMPROVEMENTS THEREFOR

Examiner: Curtis Cohen

Due Date: March 19, 2002

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RESPONSE TO EXAMINER'S ACTION  
DATED SEPTEMBER 19, 2001

February 18, 2002

VIA COURIER

The Commissioner of Patents  
UNITED STATES PATENT OFFICE  
2011 South Clark Place  
Crystal Plaza 2, Room 1B03  
Arlington, Virginia U.S.A. 22202

Dear Sir:

Further to the telephonic conversation with Examiner Cohen on October 30, 2001, it was confirmed that the Examiner's Action dated 09/19/01 should not have been made a Final Action. It was a clerical error by the USPO clerical staff and, in fact, in the Examiner's review of the United States Patent Office computer system, it indicates that this action is not final. Examiner Cohen therefore is placing a copy of the telephonic interview summary in the file. However, the Examiner indicated that

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a request to withdraw the finding of a final action be made with this response. A request to do so is hereby made to withdraw the "final action" contained in error within his Action of September 19, 2001. Out of an abundance of caution a Notice of Appeal is also being filed. Should this prove necessary the Examiner is authorized to access Applicant's Deposit Account No. 08-3255 in the amount of \$160.00 US to cover the required fee.

In response to the outstanding Official Action dated September 19, 2001 and due for response December 19, 2001, Applicant encloses a Request for a two month extension of time with the fee for a small entity of \$200.00 U.S. funds making this response due **February 19, 2002**. If there is any deficiency or surplusage of the fees enclosed for the Extension of Time (fee), please obtain any such deficiency or credit the surplusage to Deposit Account 08-3255 and advise Applicants' Agent.

As discussed above, Applicant also encloses a Notice of Appeal for the above-identified matter. The Examiner is authorized to access Applicant Agent's Deposit Account No. 08-3255 in the amount of \$160.00 U.S. funds only if necessary to cover the fee for filing a Notice of Appeal and advise Applicants' Agent upon doing so. It is assumed this should not be necessary.

The Examiner has rejected Claims 1 to 12 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-12 of United States Patent No. 6,209,610. The Examiner has requested the filing of a terminal disclaimer to overcome the rejection of Claims 1 to 12 of this application. Applicant encloses a terminal disclaimer filed in order to avoid delay of examination of this application. Applicant does not agree with the Examiner in respect of a Terminal Disclaimer being required. Nonetheless, Applicant is forwarding a terminal disclaimer for this application with regard to United States Patent No. 6,209,610. Applicant also encloses the fee of \$55.00 U.S. funds to file the enclosed terminal disclaimer . If there is any deficiency or surplusage of the fees enclosed for